

UNCLAS SECTION 01 OF 03 THE HAGUE 001855

SIPDIS

USAID FOR C. CORRINO; STATE FOR G, G/TIP, DRL, PRM, OES: J.
CHOW

E.O. 12958: N/A

TAGS: [EAID](#) [ELAB](#) [KCRM](#) [KHIV](#) [KWMN](#) [PHUM](#) [PTER](#) [SMIG](#) [SNAR](#)

SUBJECT: A/S JONES' HAGUE VISIT: TRAFFICKING, TERRORISM,
JUSTICE, AND HIV ISSUES

(U) 1. In a July 15 visit to The Hague, A/S Jones met with senior officials from MFA, MoD, and MoJ, parliamentarians, the National Rapporteur for Trafficking, and with Mission personnel. This cable reports her discussions on trafficking in people and counter-narcotics. The transatlantic relationship, the Middle East, OSCE, and issues surrounding French-German security ideas are reported septels. A/S Jones cleared this cable.

Trafficking in People

(U) 2. A/S Jones raised the problem of trafficking in persons in meetings with the National Rapporteur for Trafficking Korvinus, MoJ Secretary General Joris Demmink and MFA deputy Political Director Herman Schaper. She stressed the importance of attacking the problem, both through domestic programs and legislation and through multilateral cooperation. A/S Jones welcomed the role of the Netherlands in making TIP a priority issue for its OSCE presidency, and the Dutch asked for U.S. support for TIP recommendations recently approved by the OSCE economic forum. Dutch officials said they will also make TIP a priority of their European Union and Council of Europe presidencies in 2004. MFA officials cited the linkages among drugs, trafficking, and health epidemics. Together, these three formed a "trail of misery" through Central Asia and Eastern Europe. They lament a lack of cooperation between EU and Russia on these issues. All interlocutors agreed that it is essential to focus political attention on the problem, with the MFA focusing on cooperation internationally, the Justice Ministry focusing on police issues, and the Rapporteur serving as the prod to the Dutch government, including to offer more services to victims.

(U) 3. A/S Jones inquired about the bill bringing Dutch TIP legislation in line with the Palermo Protocol and the EU framework decision on trafficking in persons. Korvinus said the bill was approved by the government on June 20, 2003, and sent to the Council of State for review, after which it will be sent to the Dutch parliament. National Rapporteur Korvinus expects some debate about the definition of trafficking and working in slavery-like conditions, but she has no doubt that the bill will be adopted. With respect to the UN Palermo Protocol, Korvinus said she is worried that the protocol does not protect victims once they return to their native countries after a trial. Korvinus feared that this would be an obstacle for victims to testify in court. Jones shared her concerns, and suggested this could be an area for cooperation.

(U) 4. A/S Jones asked whether the police are adequately equipped to identify TIP victims. Korvinus replied that police officers have been trained to do so. However, the alien police and immigration officers have been raiding brothels and streetwalking zones in their search for illegal immigrants, particularly Bulgarian and Nigerian women, without adequately checking whether the illegal immigrants were actually victims of trafficking. She noted that sometimes these officers overrule the regular police. To improve the identification of victims, the Rapporteur's office has suggested setting up multidisciplinary teams. In a later meeting, Secretary General Demmink gave a summary of Dutch law enforcement efforts, which he described as "going in the right direction," including a Ministry of Justice interagency Task Force and the new trafficking penalty law which goes into effect in 2004.

(U) 5. Ambassador Sobel asked Korvinus about possible discrimination against foreign victims. Korvinus said that the Netherlands, unlike Belgium, has no specific shelters for trafficking victims. TIP victims and victims of household violence are put together to give them better police protection. According to Korvinus, there is no discrimination against foreign women, but she admitted there is an overall capacity shortage. She noted that TIP victims are given three months to consider pressing charges, after which they can stay in The Netherlands until the juridical process has been completed. This can take as long as two years. Although victims are given shelter, legal, medical

and financial assistance, the government does not allow them to work. Korvinus considered this inhumane. She felt that the victims should be offered some sort of legitimate employment or training to be able to prepare for a future at home.

(U) 6. A/S Jones also pressed her interlocutors to work closely with other countries and through multilateral institutions to combat trafficking. In her meeting with Korvinus, A/S Jones noted that the EU needs to focus on TIP problems in source countries. A/S Jones mentioned that the U.S. had been pressing the EU Commissioner for External Relations, Chris Patten, to focus on the Caucasus and Central Asia regions to improve border controls, fight corruption, and stimulate prosecution. She suggested that the EU could play a role in the training of law enforcement officers so that they can easily recognize TIP victims. In her meeting with Secretary General Demmink, A/S Jones noted that her recent visits to countries in Eastern Europe, Moldova in particular, indicated to her how "differently and intensely" we must work with every country to combat human trafficking. She asked about Dutch liaison with source countries for victims in the Netherlands and related transit countries and pushed for better joint cooperation and investigations. She asked for Dutch support for a new initiative to talk to NATO about troops who may be consumers of trafficked prostitutes.

(U) 7. Korvinus remarked that it is not enough to start public awareness campaigns in source countries to warn young people of the dangers. It is also very important to educate and train young people to improve their chances on the labor market and reduce poverty. Later, Demmink described cooperation with source and transit countries as a "mixed bag" -- good with countries who are EU candidates or aspire to be, not as good with countries like Russia and Moldova and not easy with neighbors such as Germany and Austria who give trafficking a lower priority. The Dutch will work on a special regional treaty on trafficking in the Council of Europe to build on the Palermo Protocol. The Dutch are also encouraging EU and OSCE members to appoint special Rapporteurs for trafficking.

Counternarcotics Issues and Terrorism Issues

(U) 8. A/S Jones raised U.S. concerns about counternarcotics with Justice Ministry Secretary General Demmink and with senior MFA officials. A/S Jones asked what measures the Dutch were taking to curb Ecstasy production. MFA officials said the Dutch government is committed to finding practical areas of cooperation with the U.S. and has cut production. Demmink answered that they have stepped up efforts and reorganized and centralized their police Ecstasy units. As of July 1, 2003, a new national police operation (National Recherche) was set up to fight drug production and trafficking on a national level. Demmink said that National Recherche will have a direct link to the National Prosecutors, office, which he believes will give them better tools to fight drugs.

(U) 9. Ambassador Sobel raised the issue of cocaine swallowers. He noted that the Dutch have no preclearance procedures in the Netherlands Antilles and suggested that it would be better to stop swallowers from getting on the airplane at the source rather than dealing with them at Schiphol. He noted that U.S. Customs had experience with preclearance and said that they would be willing to share their experiences. Demmink agreed that cocaine swallowers from the Caribbean were a major problem for The Netherlands and that preclearance was an idea worth considering. They could begin with Aruba -- an island that did not/not have a serious drug problem. If that were to prove successful, perhaps they could move on to Curacao in the Dutch Antilles.

Chemical Precursors

(U) 10. A/S Jones raised the issue of precursor chemicals coming to the Netherlands from China. Demmink replied that the Dutch Ambassador in Beijing will soon open negotiations with the Chinese with the aim of drawing up an MOU. A/S Jones said that the U.S. would be willing to assist should that be required.

Bilateral Follow Up

(U) 11. Ambassador Sobel asked about progress on the Agreed Steps from the March 2003 Bilateral. DDG Ijzerman said that things were progressing well and a June 25 meeting had clarified several issues. Both sides would continue to follow up on a regular basis. He also mentioned the recent Justice-to-Justice conference at Zutphen as being particularly useful in increasing the understanding of both sides.

Asset Seizures

(U) 12. A/S Jones asked Demmink what they were doing on the

issue of asset seizures. Demmink said that there is a legal framework for this issue but that the difficulty is convincing the courts of the proof of linkage between the money and the accused. Marjorie Bonn commented that seizure is easy, the problem is confiscation.

Targeting Drug Leadership

(U) 13. DCM Russel noted that The Netherlands should be fighting against the major Ecstasy syndicates and not the small players. He suggested that a major campaign conducted over a short period of time might have a big effect on the market. Demmink agreed with that strategy, but said that there are very few large organizations in the Netherlands - most are small groups of operators.

EU Presidency - Law Enforcement Issues

(U) 14. Ambassador Sobel asked what the Netherlands, top priorities would be in terms of law enforcement during their upcoming EU Presidency in 2004. DDG Ijzerman noted that with 25 new members the agenda would have to be very limited. He said that there would be two major law enforcement items on the agenda: 1. An EU Action Plan for Illegal Drugs; 2. The development of a comprehensive strategy on organized crime.

Terrorism Prosecution

(U) 15. A/S Jones asked Demmink if prosecution of terrorist acts is unnecessarily difficult in the Netherlands as indicated by two recent terrorism related cases that were dismissed. Demmink responded that the Ministry of Justice was well informed in every stage of those cases that the evidence was sometimes thin or based on intelligence that is difficult to use for conviction. He felt that the issues raised by these cases were valuable in the process of refining counter terrorism laws and policies. He also talked about conspiracy laws that differed in each EU country, making an EU arrest warrant difficult. Similar to intelligence information, conspiracy evidence can be used as a vehicle for investigation but may not be enough for a conviction.

HIV/AIDS

(U) 16. MFA Western Hemisphere Director Marion Kappeyne complimented President Bush's Emergency AIDS Initiative. She said the MFA is committed to cooperating with the U.S. in the fight against AIDS and that Dutch and U.S. officials are now identifying areas of cooperation in a select group of target countries in Africa. Kappeyne suggested that when possible, donor countries should make use of existing mechanisms in focus countries, rather than creating new ones. This approach, she said, ensures sustainability. Rob Swartbol of the Prime Minister's office said the PM plans to attend the AIDS meeting on the margins of the UNGA in September.

RUSSEL